

## Home and Community-Based Services Program Transition Update on Activities for the Habilitation Supports Waiver

The Centers for Medicare and Medicaid Services issued a new rule for Medicaid waiver programs that offer that offer home and community-based services. The final rule affects waiver programs that are authorized under the 1915 (c), (i), or (k) sections of the Social Security Act. The final rule establishes new requirements for characteristics that home and community-based settings must have in order to receive Medicaid funding.

The Michigan Department of Health and Human Services is working to transition its waiver programs into compliance with the new rule. This transition process includes residential and non-residential settings where individuals receive services under the Habilitation Supports Waiver. The following sections provide an overview of the steps for bringing the Habilitation Supports Waiver into compliance with the new rule:

- **Initial Assessment:** Earlier this year, the Michigan Department of Health and Human Services used a sampling process to assess the level of compliance of settings under the waiver. The goals of this process were: (1) to test the survey tools to ensure that they are accurate, understandable, and useful; and (2) to develop a baseline understanding of how participants are currently being served under the waiver. The sample for the initial assessment represented 10% of those individuals served under the waiver. As part of this initial assessment process, the Department surveyed participants, providers, and Prepaid Inpatient Health Plans. Settings that were not included in the initial sample will be surveyed on an individual basis at a future date.
- **Analysis:** The Department is currently analyzing the data that was collected during the sampling process. The analysis will assist the Department with developing a baseline understanding of how individuals are currently being served under the waiver. The Department will share the results of the analysis with stakeholders.
- **Validation:** The Department will be conducting a validation process for a small portion of settings that participated in the initial sample. The validation process will allow the Department to understand if the survey tools accurately reflect the compliance of settings under the waiver. This validation process will include on-site reviews of settings in the sample. The Department will share the results of the validation process with stakeholders.
- **Stakeholder Review:** Once the survey results have been validated, the results will be posted to the HCBS website for stakeholder review. The Department will also work to engage stakeholders in a discussion about the results and determine next steps for the implementation process.
- **Ongoing Assessment and Remediation:** After the Department meets with stakeholders to discuss the survey results and the ongoing process, the Department will start to assess all settings for compliance with the final rule on a statewide basis. Based upon the results of the statewide assessment, settings will have a chance to make the necessary changes to come into compliance with the rule.

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- **Ongoing Compliance:** All settings under the Habilitation Supports Waiver must come into compliance with the rule. The Department will work with stakeholders to help settings come into compliance during the transition period. The final date for coming into compliance is September 30, 2018. If a setting is not in compliance after this date, the Department will assist individuals in the non-compliant setting with transitioning to a new setting. Non-compliant settings can continue to provide services through Medicaid funding until March 17, 2019.

If you have questions about any of these processes, please send an email to [HCBSTransition@michigan.gov](mailto:HCBSTransition@michigan.gov) for more information.

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4/6/2015 - 6/1/2015	<ul style="list-style-type: none"><li>• <b>Initial Assessment:</b> The Department conducted surveys for a sample of participants, service providers, and Prepaid Inpatient Health Plans who participate in the Habilitation Supports Waiver.</li></ul>
6/1/2015 - 9/1/2015	<ul style="list-style-type: none"><li>• <b>Analysis:</b> The Department is analyzing the survey data from the initial sample.</li></ul>
9/1/2015 - 9/30/2015	<ul style="list-style-type: none"><li>• <b>Validation:</b> The Department will conduct a validation process for a small percentage of settings in the initial sample.</li></ul>
10/1/2015 - 12/31/2015	<ul style="list-style-type: none"><li>• <b>Stakeholder Review:</b> The Department will publish the results of the initial assessment. The Department will discuss the results and future implementation process with stakeholders.</li></ul>
1/1/2016 - 9/30/2018	<ul style="list-style-type: none"><li>• <b>Ongoing Assessment and Remediation:</b> The Department will survey all settings under the waiver. Settings that are not currently in compliance will have the opportunity to come into compliance.</li></ul>
9/30/2018 - Ongoing	<ul style="list-style-type: none"><li>• <b>Ongoing Compliance:</b> Settings will have until September 30, 2018 to come into compliance. The Department will assist individuals with transitioning from non-compliant settings. Services can continue to be provided in non-compliant settings until March 17, 2019.</li></ul>

\*The following timelines are tentative and subject to change.